

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

_____)	
CHRISTOPHER R. BOUSQUET)	
)	
Petitioner,)	
)	
v.)	Civil Action No. 04-10601-WGY
)	
EDWARD FICCO,)	
)	
Respondent.)	
_____)	

**MOTION TO ENLARGE THE TIME
FOR FILING A RESPONSIVE PLEADING**

The respondent, Edward Ficco, former Superintendent of Souza-Baronowski Correctional Center in Shirley, Massachusetts, through counsel, respectfully moves this Court to enlarge the time in which to file an answer or other responsive pleading to the above-captioned petition for writ of habeas corpus to February 18, 2005.

As grounds therefor, the respondent's attorney states:

1. She has requested the complete record of the petitioner's state court proceedings from the Bristol County District Attorney's office. The district attorney's office must locate the files, duplicate the records, including trial transcripts, and transmit a copy to the Attorney General's Office. These are time-consuming tasks which District Attorney staffers must fit into their regular pressing duties.

2. After the records are transferred, additional time is needed to review all the documents,

to research relevant issues and to draft an appropriate response to the petition. The record must be studied to determine if affirmative defenses are available, including exhaustion of state remedies, statute of limitations and procedural default. Rule 5 of the Rules Governing Section 2254 Cases in the United States District Courts requires the respondent to answer each allegation of the complaint and state whether the petitioner has exhausted state remedies including post-conviction actions.

3. In addition, the respondent's attorney is responsible for numerous post-conviction cases which include more than twenty-five federal habeas corpus petitions as well as direct criminal appeals, new trial motions, civil rights litigation and parole and probation matters.

WHEREFOR, the respondent respectfully moves this Court to enlarge the time for filing an answer or other responsive pleading in the above-captioned petition to February 18, 2005.

Respectfully submitted,

THOMAS F. REILLY
ATTORNEY GENERAL

/s/ Annette C. Benedetto

Annette C. Benedetto
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CERTIFICATE OF SERVICE

I hereby certify that a true copy of the attached motion and notice of appearance was served upon the following petitioner pro se by first class mail, postage pre-paid, on January 10, 2005. .

Christopher R. Bousquet, pro se
Souza-Baranowski Correctional Center
P.O. Box 8000
Shirley, MA 01464

/s/ Annette C. Benedetto

Annette C. Benedetto